

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Tribal Welfare Department - Mahabubabad District – Appeal Petition filed by Kum. Chepuri Mounika D/o Krishna R/o Jagathraopeta village of Bayyaram Mandal, Mahabubabad District filed under Section 7(2) of the Act 16 of 1993, against orders of the Collector & District Magistrate, Mahabubabad in Procs.No.C1/744/2019, dt.12.12.2019 cancelling her ST Koya Community Certificate bearing Appl.No.CND021915871085, dt.11.03.2019 issued by Tahsildar, Bayyaram, Mahabubabad District – Appeal Dismissed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No. 61**

**Dated: 21-08-2021,**  
**Read the following:-**

1. Procs.No.C1/744/2019, dt.12.12.2019 of the Collector & District Magistrate, Mahabubabad.
2. Appeal filed by Kum. Chepuri Mounika D/o Chepoori Krishnaiah Aged 27 years, Occ: Mandal Praja Parishad, Bayyaram Mandal, Jagathraopet, Bayyaram Mandal, Mahabubabad District, Dated: 10.01.2020.
3. Govt., Memo No. 114/TW.LTR/2020, Dt.29.01.2020.
4. Govt., Memo No. 114/TW.LTR/2020, Dt.05.10.2020.
5. Letter Rc.No.C1/744/2019 received from the Collector & District Magistrate, Mahabubabad, dt: 23.10.2020
6. Issued Notice Appeal No. 114/TW.LTR/2020, dated 18.01.2020.
7. Govt., Memo No. 114/TW.LTR/2020, Dt.17.02.2021 & 10.06.2021
8. Issued Notice Appeal No. 114/TW.LTR/2020, dated 10.06.2021.
9. Lr.Rc.No.392/TRI/TSV/VC-8-2021, dated 02.06.2021 received from the Director, TCR&TI, DSS Bhavan,Masab Tank, Hyderabad.
10. Memo filed by the Counsel for Petitioner on 14.06.2021
11. Issued Notice Appeal No. 114/TW.LTR/2020, dated 21.06.2021.
12. Issued Notice Appeal No. 114/TW.LTR/2020, dated 08.07.2021.
13. Written Arguments submitted by the Counsel for Appellant on 20.07.2021.

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**ORDER:**

In the reference 1<sup>st</sup> read above, the Collector & District Magistrate, Mahabubabad excising the powers U/s. 5 (1) of Act No. 16/1993 read with Sub-Rule (7) of Rule 9 of the rules, 1997 has cancelled the ST Koya Caste Certificate bearing Appl.No.CND021915871085, dt.11.03.2019 of Kum.Chepuri Mounika D/o Krishna R/o Jagathraopeta village of Bayyaram Mandal, Mahabubabad District issued by the Tahsildar, Bayyaram Mandal, Mahabubabad District. The history of the case as follows.

- Sri Vattam Upender, State President of Telangana Adivasi Hakkula Porata Samithi Thudum Debba has complained alleging that Kum.Chepuri Mounika D/o Chepuri Krishna R/o Jagathraopeta has produced bogus ST KOYA caste certificate and contested for MPTC Kothagudem and Bayyaram which are reserved for STs in MPTC elections, which were held on 11.03.2019 and also elected as MPP of Bayyaram Mandal and continuing through fraudulent means – hence, requested to examine into the matter, take necessary action and do justice for ST Koyas also initiating action under SC/ST Atrocities Act.
- RDO Mahabubabad who conducted enquiry into the complaint obtained sworn-in statements of 1) Sanapa Somaiah S/o Pomaiah R/o Isukamedi, Kommavarm, 2) Smt.Ballem Sujatha D/o Venkateswarlu, VRO Kamepally & Jagathraopeta (v) of Bayyaram Mandal and 3) Kalluri Chandra Rao S/o Satyam, Girdawar, Bayyaram Mandal. All the deponents have deposed that Kumari Chepuri Mounika D/o Krishna R/o Jagathraopeta (v), Bayyaram Mandal belongs to BC-Golla caste, but she got ST Koya certificate.

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- The Dist. Collector has referred the case to DLSC for finalization.
- Notice in Form VI was issued and conducted hearings on 13.8.2019, 21.8.2019 and on 5.9.2019. Chepuri Mounika was present but not submitted any evidence.
- Complainant Sri Vattam Upender has submitted draft charge sheet Xerox copies on 21.8.2019 pertaining to Cr.No.27/2006 U/s.148,324,506,384 R/W 149 IPC Sec.25 (1)(a) IA Act of Garla Bayyaram PS for perusal by DLSC. On perusal of charge sheet, names of Mounika's uncle (Babai means father's brother), relationship of Chepuri Ravi S/o Dhanunjaya, name of Chepuri Krishna S/o Dhanunjaya (i.e. father) were mentioned in the charge sheet and their caste was also recorded as Golla.
- In the Procs.No.D3/3556/2005 dated 16.03.2011, the District Collector, Khammam has cancelled the caste certificate of Chepuri Ravi S/o Dhanunjaya R/o Jagathraopet who is uncle (means father's brother) of Kum.Chepuri Mounika D/o Chepuri Krishna.

2. In the reference 2<sup>nd</sup> read above, aggrieved by the above cancellation orders of the Collector & District Magistrate, Mahabubabad, Kum.Chepuri Mounika D/o Chepuri Krishna, aged: 27 years, occ:Mandal Praja Parishad, Bayyaram Mandal R/o H.No.3-9, Jagathraopet, Bayyaram Mandal, Mahabubabad District has filed an Appeal before the Government urging the following grounds:

- She was born on 6.8.1992, passed Intermediate and obtained ST Koya Certificate.
- Her father late Chepuri Krishnaiah and her uncle late Chepuri Ravi were born to late Sri Chinta Lakshmaiah and late Kunja Narsamma – both belong to Koya community. Her grandfather Chinta Lakshmaiah expired in the year 1975 and grandmother Kunja Narsamma in the year 2000. As such they are the biological parents of her father late Chepuri Krishnaiah and uncle late Chepuri Ravi.
- After the death of her grandfather, her grandmother remarried one Sri Chepuri Dhanunjaya who belongs to Golla community – as such her father and uncle started residing with their stepfather Sri Chepuri Dhanunjaya.
- Her father was admitted in the school by his stepfather as such the name of "Sri Chepuri Dhanunjaya" was reflected in the school records as that of his father, instead of "Chinta Lakshmaiah". Due to tender age, her father and uncle could not understand the nitty gritty as such the same continued in the school records, service records etc. till date. The local of the said school was a tribal agency as such the villagers used to call her father as the son of said Chepuri Dhanunjaya.
- Admittedly her grandmother, her father and uncle belong to Koya community and that herself and her father were regularly visiting the Koya community in Kothagudem village, Bayyaram Mandal and mingled with residents of the said village only. She also faced so many social problems as she belongs to Koya community and following all customs, rituals and all the formalities of Koya community till date.
- Respondent 1 (the Dist. Collector, Mahabubabad) failed to notice that she fall under ST Koya community and without any reasoning has cancelled her caste certificate declaring that she belongs to BC Golla community. The order under challenge suffers from infirmities and the same is liable to be set aside. A

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perusal of the order dated 12.12.2019 passed in Procs.No.C1/744/2019 by the Respondent No.1 would reveal that no plausible explanation was given to cancel her caste certificate – on that ground alone – the order under challenge is liable to be set aside. That apart it is absurd to say that she belongs to BC-Golla community, which goes to show that the order under challenge has been passed without application of mind. No prudent man will jump to a conclusion that a child will have the Sur Name of a stepfather on the contra it is a settled principle of law that the son will have a sur name of a biological father. In the instant case, due to death of Chinta Lakshmaiah, her father and uncle being at tender age could not change their Sur Name from Chepuri Krishna to Chinta Krishna.

- Respondent No.1 had come to an erroneous conclusion that she has no base to prove herself that as the entire evidence goes against her and clearly visualizes that she belongs to Golla caste, is the figment of the Respondent No.1 imagination, as such the same is perverse and liable to be set aside.
- Finding of Respondent No.1 that the clan, social system, trades, culture, traditions and all other social obligations are entirely different and are not matching with her deposition is unjust, illegal and contrary to the facts mentioned above. She further submitted that finding of Respondent No.1 is contrary to her school records as well as college records, which reveals that she belongs to Koya community and in the said background, she has contested for MPTC elections which is reserved for STs and got elected as MPP in Bayyaram Mandal.
- DLSC examined the available records/depositions and noted that Koya and Golla are different. The said records were not made available to her nor she was given opportunity to rebut, as such finding of the said committee and relying on the same by the Respondent No.1 in coming to the conclusion that she does not belong to ST Koya community, is illegal, contrary to the settled principles of law and on that ground alone, the order under challenge is liable to be set aside. Her uncle late Chepuri Ravi acted as President of VTDA (Village Tribal Development Association) during 1995-2000 and prior to that he was Chairman, Ayacut Committee during 1993-1995. Her aunt (wife of Chepuri Ravi) held the post of ZPTC in Bayyaram Mandal.
- A false case was registered against her father and uncle vide Cr.No. 27 of 2006 of PS Garla Bayyaram and the same ended in acquittal – as such the finding that in the charge sheet their caste also indicated as Golla, is not a substantive/material piece of evidence to jump to a conclusion that they belong to Golla community. In any event, she has demonstrated supra that her grandfather was from ST-Koya community and he being the biological father of her father and uncle, they automatically fall under the category of ST-Koya community and from there she being the daughter of Chepuri Krishna, even she belongs to ST Koya community by virtue of lineage.
- The District Collector, Khammam vide Procs.No.D3/3556/2005, dated 16.03.2011 has cancelled caste certificate of her uncle Chepuri Ravi, is false and the same is without any basis.
- Respondent No.2 (President of Telangana Adivasi Hakkula Porata Samithi Thudum Debba) is an influential person targeting her politically with an ultimate goal to silence her politically, filed a false petition before the Respondent No.1 (Dist. Collector, Mahabubabad) on 14.6.2019 and the said Respondent has passed the order under challenge mechanically coming to an erroneous conclusion thereby damaging her reputation in the society and in the eyes of her fellowmen, due to which she is undergoing lot of mental agony/trauma.

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- Respondent No.1 has not given her an opportunity to rebut the committee report as well as the records on which the committee relied and resolved that her caste certificate is found bogus and recommended for cancellation of the same, is against the principles of natural justice apart from being violative of Article 14 etc. of the Constitution of India.
- She has been following only Koya community rituals etc and cancellation of her ST Koya community certificate by the Respondent No.1 is arbitrary, unjust, illegal and violative of Article 14 etc of the Constitution of India as well as contrary to the principles of natural justice.
- Therefore, prayed to set aside impugned order passed in Procs.No.C1/744/2019, dated 12.12.2019 passed by the Dist. Collector, Mahabubabad.

3. In the reference 3<sup>rd</sup> read above, Government while admitting the Appeal, the Collector & District Magistrate, Mahabubabad has been requested to furnish para-wise remarks and original case record to Government so as to dispose of the Appeal at Government level.

4. In compliance, in the reference 5<sup>th</sup> read above, the Collector & District Magistrate, Mahabubabad has submitted the record and the following para-wise remarks:

- The Commissioner of Tribal Welfare, Hyderabad has forwarded representation that Kum.Chepuri Mounika D/o Chepuri Krishnaiah R/o Jagathraopet village of Bayyaram Mandal belongs to BC Golla caste by birth but obtained Koya certificate from Tahsildar, Bayyaram in connection with Local Body elections, contested in reserved ST quota and elected as MPTC.
- As per enquiry, Sri Chepuri Danunjaya (late) who is grandfather of Chepuri Mounika, belongs to BC Golla caste and is having two wives. First wife namely Suramma belongs to Golla caste. She was died and married second one Smt.Kunja Narasamma belongs to Koya caste. Smt.Kunja Narasamma blessed with two male children namely Chepuri Krishna and Chepuri Ravi. As per record of Chepuri Krishna S/o Danunjaya has obtained Koya certificate from the Tahsildar, Bayyaram on 30.6.1987. During his life time, he married one Padma belongs to Golla caste resident of Ayyagaripalli village of Kuravi Mandal. Sri Chepuri Krishnaiah and Padma blessed with (3) daughters namely 1) Chepuri Sandhya Rani 2) Sravani W/o Maleedh Navajyothi (belongs to BC Golla) and 3) Chepuri Mounika. Chepuri Ravi S/o Danunjaya (younger son) has obtained Koya certificate from the then Tahsildar, Bayyaram vide F/828/98. Ravi married Renuka (ex-ZPTC Bayyaram) who belongs to Golla caste, elected as ZPTC under BC reservation previously and successfully completed her tenure. In the voter list of Kambalapally 2006 and also submitted a caste certificate of Sri Chepuri Krishna Golla BC-D (Sl.No.33) by caste. Supporting the records Sri Chepuri Danunjaya and his sons Chepuri Krishna and Ravi belongs to BC-Golla. Chepuri Mounika's father Chepuri Krishna S/o Danunjaya received BC-D Golla caste certificate vide SSID Number 2221-0000-6008-7901 from the Tahsildar, Bayyaram.
- On verification of records, it is revealed that the caste certificate of Sri Chepuri Krishna S/o Danunjaya indicated as Golla vide Certificate No.2006448 which has been issued by the then Tahsildar, Bayyaram on 22.7.2006. At any point of evidence, Kum.Mounika has no base to prove herself as the entire evidence goes against her and clearly visualizes that she belongs to Golla caste and not Koya caste.

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- The DLSC examined available records/depositions and noticed that the caste KOYA and GOLLA are entirely different. Koya is a primitive tribe while Golla is backward class. The surname of person in question is quite uncommon among tribes. The clan, social systems, traits, culture, traditions and all other social obligations are entirely different and are not matching with the deposition of Kum.Chepuri Mounika. Her father married Golla community girl, she got three female children. Chepuri Mounika is third daughter, her sisters also married Golla community.
- As per Anjan Kumar vs Union, the Hon'ble Supreme Court in 6445/2000, dated 14.02.2006 clearly depicted that off shoots of a Tribal woman married to a non-tribal husband cannot claim status of Scheduled Tribe and on the basis of which the Scheduled Tribe certificate could be given – condition precedent for granting tribe certificate being that one must suffer disabilities where from one belongs the reason being such offshoot was brought up in the tribal atmosphere. As per the Supreme Court's judgement, the social status of spouses of inter-caste marriage couples, the caste and surname of father has to be taken into account.
- It has been laid down by a series of decisions by the Supreme Court that the burden of proving the Community status of the person is on the person who claims such a status. Each social status claim has to be independently considered. In specific cases where it is brought to the notice of the authorities to cancel the certificate after giving notice and holding enquiry. Therefore, the averments mentioned in the para are incorrect having no legal sanctity.
- As contemplated under Act 16/93, the caste certificate fraudulently obtained shall be enquired and determined by the DLSC regarding its genuinity. In this case, the caste certificate issued was enquired by the DLSC and recommended for cancellation – consequential action will be taken on the authority who has given wrong certificate. Therefore, the contention of the appellant is incorrect.
- Complainant Sri Vattam Upender brought to the notice of the DLSC about criminal case in Cr.No.27/2006 U/s.148,324,506,384 R/W 149 IPC Sedc.25 (1) (a) of IA Act by PS Garla Bayyaram – on perusal, names of Sri Chepuri Ravi S/o Danunjaya (paternal uncle of appellant) and Sri Chepuri Krishnaiah were found and their caste was mentioned as Golla in the charge sheet. He further brought to the notice of DLSC that the caste certificate of her paternal uncle Sri Chepuri Ravi bearing No.2006448, dt.22.07.2006 issued by the Tahsildar, Bayyaram was cancelled by the District Collector, Khammam vide Procs.No.D3/3556/05, dt.10.03.2011. The appellant that the said cancellation is false – but the file related to procs.No.D3/3556/2005 of Dist. Collector, Khammam has been transferred to Dist. Collector, Mahabubabad after bifurcation of District.
- Final notice was issued on 27.8.2019 to the appellant to attend the DLSC meeting on 5.9.2019 at 11 AM at Joint Collector's office and the acknowledgement having received notice is a towering witness that the DLSC has given ample opportunities to her to prove her caste claim before the DLSC Mahabubabad but failed to establish or produce any evidence in support of her claim. Therefore, the DLSC has unanimously resolved for cancellation of the bogus caste certificate.

5. In the references 6<sup>th</sup> read above, Government has called the case for hearing on 23.01.2021. Appellant and her Counsel present. In the reference 7<sup>th</sup> read above, the Director, TCR&TI, DSS Bhavan, Masab Tank, Hyderabad was requested to study the matter in detail and submit his report in 30 days, so as to place the report before the Appellate Authority in Government, during the next hearing.

6. In compliance to Govt.Memo.No.114/TW.LTR/2020, dt.17.02.2021 and Notice bearing No.392/TRI/TSV/VC-8-2021, dated 15.03.2021 issued by the Director, Tribal Cultural Research and Training Institute, Telangana State, Hyderabad, the appellant Kum.Chepuri Mounika has attended for verification of her ST social status claim.

7. In the reference 9<sup>th</sup> read above, The Director, TCR&TI, Hyderabad after conducting inquiry has submitted detailed report gist of which is as follows.

- Late Chepuri Dhanunjaya S/o Narsaiah belonging to Golla community is the grandfather of Chepuri Mounika married his caste woman and blessed with a son and later his wife died. After expiry of his wife, he married Kunja Narsamma, a Koya woman who gave birth to two sons namely 1) Chepuri Krishna and 2) Chepuri Ravi. Both of them obtained Koya community certificates from the MRO Bayyaram on the basis of community of their mother.
- Community Certificate of Chepuri Ravi S/o Chepuri Dhanunjaya – paternal uncle of Chepuri Mounika who obtained community certificate as belonging to Koya community from MRO Bayyaram was cancelled by the District Collector, Khammam vide Procs.No.D3-3556/05, dated 16.03.2011 duly conducting detailed enquiry and concluding that Chepuri Ravi S/o Chepuri Dhanunjaya did not belong to Koya community but belonged to Golla community.
- Kum.Chepuri Mounika deposed that her mother belongs to Yadava/Golla community and her both sisters have married Yadava/Golla community persons. Her paternal uncle Chepuri Ravi also married Yadava/Golla community person.
- She stated that her community does not have their own dialect.
- She obtained Koya ST community certificate from Tahsildar, Bayyaram duly producing community certificates issued to her father Ch.Krishnaiah and her paternal uncle Chepuri Ravi.
- VRO Jagathraopeta village, Bayyaram Mandal deposed that Chepuri Mounika belongs to Golla caste as per local enquiry but earlier she recommended to issue Koya caste certificate basing on the certificates of her father and paternal uncle.
- Mandal Revenue Inspector, Bayyaram in his report stated that he belongs to Koya community and the surname Chepuri is uncommon in Koya tribe. As per local enquiry, Chepuri Mounika does not belong to Koya tribe but belongs to Golla caste.
- In the affidavit submitted to Government, Chepuri Mounika stated that her father Chepuri Krishna and paternal uncle Chepuri Ravi were born to Chinta Laxmaiah and Kunja Narsamma belonging to Koya tribe and after death of Chinta Laxmaiah said to be her grandfather, her grandmother Narsamma married to Chepuri Dhanunjaya and her father and uncle were brought up under the guardianship of step father late Chepuri Dhanunjaya. Therefore, in school records, father's name of her father and uncle was recorded as Chepuri Dhanunjay – but she could not submit any documentary evidence or statement of elders of the locality who are well versed with the facts. Hence, Chinta Laxmaiah said to be biological father of Chepuri Krishna and Chepuri Ravi is far from truth.
- All paternal and maternal relatives of Chepuri Mounika belong to Yadava/Golla community. She could not establish any relationship with Koya tribe in her genealogical information furnished on 20.03.2021.

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- Her mother belongs to Yadava/Golla community and her paternal uncle's wife also belongs to Yadava/Golla community. Both of her sisters married to persons belonging to Yadava/Golla community. She does not have any relationship with Koya community.
- She deposed that their community does not have dialect of their own. The Koya tribe has its own dialect called Koya Bhasha.
- Her father Chepuri Krishna and her paternal uncle Chepuri Ravi born to Chepuri Dhanunjaya belongs to Golla/Yadava community but claimed Koya community certificates based on community of their mother Kunja Narsamma.
- As per instructions issued vide Lr.No.39387/73-SCT-I, dated 21.05.1977 by the Ministry of Home Affairs, Govt. of India, in case of children of inter-caste married couple, the status of children automatically cannot be claimed as ST – each individual case has to be examined in the light of existing facts and circumstances.

As per legal views issued by the Ministry of Home Affairs, Govt. of India vide Circular No.39/37/73-SCT-1, dated 25.05.1977, in the case of marriage between a tribal with a non-tribal; the main factor for consideration is whether the couple were accepted by the tribal society to which the tribal spouse belongs. If he or she, as the case may be, is accepted by the Society then their children shall be deemed to be Scheduled Tribes. But this situation can normally happen when the husband is a member of Scheduled Tribe.

In V.V.Giri Vs D.S.Dora, reported in AIR 1959 SC 1318 (1327) the Court held "The caste status of a person in the context would necessarily have to be determined in the light of the recognition received by him from the members of the caste into which he seeks an entry.

The Hon'ble Supreme Court in its judgement in Appeal (Civil) No.6445 of 2000 in Anjan Kumar Vs Union of India and others held that "the caste system in India is ingrained in Indian mind. A person in the absence of any statutory laws would inherit his caste from his father and not mother even in case of inter-caste marriage.

- Chepuri Dhanunjaya, father of Chepuri Krishna (biological father of Chepuri Mounika) and Chepuri Ravi (paternal uncle of Chepuri Mounika) belongs to Golla/Yadava community. Their community certificates obtained as belonging to Koya tribe on the basis of community of their mother are false in view of judgements of the Hon'ble Supreme Court. However, the District Collector, Khammam has cancelled the Koya community certificate of Chepuri Ravi (paternal uncle of Chepuri Mounika).
- Kum.Chepuri Mounika D/o Krishnaiah R/o Jagathraopet village, Bayyaram Mandal, Mahabubabad district does not have any relationship whatsoever with Koya community and Koya community does not accept her as member of their community at any point of time.

8. In the references 8<sup>th</sup> read above, Government has called the case for hearing on 14.06.2021. Appellant absent. Counsel for appellant present and filed memo in the references 10<sup>th</sup> read above and informing that appellant was suffering with Covid – 19. Prayed for adjournment. And adjourned to 26.06.2021. In the reference 11<sup>th</sup> read above the case called on 26.06.2021 and adjourned to 17.07.2021.

9. In the reference 12<sup>th</sup> read above Government has called the case on 17.07.2021, Appellant called absent. Counsel for Appellant present and prayed for time for submission of written arguments. Accordingly, time has been granted to file written arguments by 20.7.2021. The counsel for Appellant has filed written arguments on 20.7.2021 in the reference 13<sup>th</sup> read above – gist as follows:

- Aggrieved by the orders issued in Prcgs.No.C1/744/2019, dt.12.12.2019 of the Dist. Collector, Mahabubabad, the Appeal is filed.
  - Appellant was unaware of the procedure and legal proceedings – as such could not produce evidence before the Respondent No.1 herein – on this ground alone, the authority may give an opportunity to the Appellant to produce the evidences available to her. If an opportunity is not granted, this Hon'ble court may not come to a just conclusion of the case as such on that ground the proceedings dt.12.12.2019 under challenge can be remanded back to the Respondent No.1 for better adjudication of the lis in issue.
  - Respondent No.1 has not properly dealt with the lis in issue as such the proceedings dt.12.12.2019 is illegal and contrary to law.
  - Respondent No.1 has overlooked the important aspect of not conducting a proper enquiry and cancelling the caste certificate of the appellant herein. It is relevant to state a Certificate was issued to the father of appellant late Krishnaiah who is a ST belonging to Koya community, his father late Lakshmaiah and mother Late Narsamma originally resided in the native village of Cheruvu Kothagudem village, Bayyaram Mandal. Her ancestors belong to Koya tribe. After death of said Lakshmaiah, appellant's grandmother Narsamma took shelter for some time with one Chepuri Dhanunjaya. Before her cohabitation with the said Dhanunjaya, the appellant's father late Krishna and his younger brother Ravi were born to late Narsamma through Lakshmaiah. Thus they are born to Koya parents and hencen Koyas. Due to grandmother's cohabitation with Dhanunjaya, his name figured as Guardian/father in some places as he is a Golla.
  - Father of appellant was employed in ITDA and he belongs to Koya tribe.
  - Appellant studied in New Era High School wherein her caste has been recorded as ST Koya.
  - After death of her father and uncle, she contested the Local Body elections and elected as MPTC Kothagudem and also as Chairperson of MPP Bayyaram Mandal. After her election, some influential political landlords filed a petition that she does not belong to ST community.
  - The DLSC met in hurry and issued notices – complaint copy was also not supplied to her. Based on charge sheet filed by police in a criminal case, wherein uncle of appellant was shown as Yadava by caste, the caste certificate of the appellant was cancelled; the minimum enquiry from locals was not done. It was a kangaroo court – a plain reading of order of DLSC will show how the adjudication was done at the behest of extraneous forces.
  - Cancellation of the Caste Certificate of a person coming from ST community like the Appellant is a serious issue and it cannot be decided without proper field level enquiry also.
  - All this has begun with filing of Election Petition No.796/2019 before the Election Tribunal i.e. Agency Divisional Officer, Revenue Divisional Officer, Mahabubabad District. Based on rejection of the Stay by the State Level Screening Committee and the District Level Screening Committee, the Appellant
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is going to be disqualified in Election Petition. This hurried adjudication without giving a proper opportunity to the Appellant clearly is unconstitutional and violative of Articles 14 & 21 of the Constitution of India, unless this Hon'ble Authority set aside the proceedings under challenge, the Appellant will be put to irreparable loss and injury.

10. The Government has examined the Appeal petition filed by Kumari Chepuri Mounika, D/o Krishna, R/o Jagathraopeta village, Bayyaram Mandal, Mahabubabad District in detail, with reference to the material evidence available on record and also with reference to the settled legal positions of the Hon'ble Apex Court. During verification, the Appellant herself admitted before the authorities that all her paternal/maternal family members belong to Yadava/Golla community and also married to Golla/Yadava community persons. The Appellant has been given sufficient opportunities but failed to prove her claim as belonging to ST Koya Tribe. Therefore, there is no reason to hold the case any longer.

11. Accordingly, the Appeal filed by Kumari Chepuri Mounika D/o Krishna R/o Jagathraopeta village of Bayyaram Mandal, Mahabubabad District is hereby dismissed duly upholding orders of the Collector & District Magistrate, Mahabubabad issued in Procs.No.C1/744/2019, dt.12.12.2019 cancelling the ST Community Certificate issued by the Tahsildar, Bayyaram Mandal, Mahabubabad District vide Appln.No.CND021915871075, dt.11.03.2019.

12. The District Collector, Mahabubabad is requested to take further necessary action accordingly.

13. The connected record (File bearing No.C1/744/2019) which was received from the Collector and District Magistrate, Mahabubabad through 5<sup>th</sup> read above is returned herewith to Collector and District Magistrate, Mahabubabad and requested to acknowledge the receipt of the same immediately.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr. CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To

1. The Collector and District Magistrate, Mahabubabad District (w.e) (By RPAD)  
(with a request to serve order copy to the individual and to send dated Acknowledgement to Government.)
2. Chepuri Mounika D/o Chepoori Krishna,  
Occ: Mandal Praja Parishad, Bayyaram Mandal,  
R/o 3-9, Jagathraopet, Bayyaram Mandal,  
Mahabubabad District (BY RPAD)

Copy to:

1. M/s Mahesh Raje & Associates Advoate.  
1-10-65, Street No.3, Ashok Nagar Hyderabad 500020 (Counsel for Petitioner)
2. The President of Telangana Adivasi Hakkula Porata Samithi, Thudum  
Debba, H.No.2-88, Gopalapuram village, Kothaguda Mandal,  
Mahabubabad District - 506135.
3. The Tahsildar, Bayyaram Mandal, Mahabubabad
4. The P.S. to Minister for ST Welfare (for information).
5. The Commissioner of Tribal Welfare, TS, Hyderabad (for information)
6. The PS to Secretary to Govt. (TW)
7. The PS to Special Secretary to Govt. (TW)
8. SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**